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2 **MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

3 12 July 2004

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5 **PRESENT:** Gary L. Daniels, Vice Chairman  
6 Noreen A. O'Connell, Member  
7 Leonard D. Mannino, Member  
8 Lawrence D. Pickett, Member  
9 Katherine E.L. Chambers, Town Administrator  
10 Darlene J. Bouffard, Recording Secretary  
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13 **1.CALL TO ORDER:** Vice Chairman Daniels called the meeting to order at 5:30 p.m.  
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16 **2.MINUTES:** The minutes of the June 23, 2004 were reviewed by members. Selectman Mannino moved to accept  
17 as amended. Selectman Pickett seconded. All were in favor.  
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19 The minutes of the June 28, 2004 meeting were reviewed by members. Amendments were noted and Selectman  
20 O'Connell moved approve the minutes as amended. Selectman Pickett seconded. All were in favor.  
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23 **3. REPORTS OF BOARDS & SPECIAL COMMITTEES:**  
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25 **-Alternate Fiscal Year Committee.** See 6:45 p.m. appointment.  
26

27 **-Ambulance Billing Write-Off Committee.** There is nothing new to report.  
28

29 **-Ambulance Study Committee.** Fire Chief Pauley gave a presentation on how he thought the community could be  
30 better served with the Ambulance Service being put under the direction of the Fire Department.  
31

32 **-Board of Selectman Goals.** There is nothing new to report.  
33

34 **-Conservation Commission.** There is nothing new to report.  
35

36 **-DO-IT Committee - DO-IT Design Committee.** Selectman O'Connell indicated this committee has come up with a  
37 new idea for the Dyer Block and wants to know if the Board of Selectman is interested in pursuing it. More to fol-  
38 low.  
39

40 **-Facilities Committee.** There is nothing new to report.  
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42 **-Fletcher Cap Committee.** There is nothing new to report.  
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44 **-Government Study Committee.** There is nothing new to report.  
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46 **-Heritage Commission.** There is nothing new to report.  
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48 **-Impact Fee Committee.** There is nothing new to report.  
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50 **-Joint Loss Management Committee.** There is nothing new to report.  
51

52 **-Library Trustees.** There is nothing new to report.  
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54 **-MACC Base.** A meeting with the Boards of Selectman from other towns is scheduled for Tuesday, July 13 at 6:00  
55 p.m.  
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57 **-Manifest.** There is nothing new to report.



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1  
2 -MIDC. There is nothing new to report.

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4 -NH School Health Care. There is nothing new to report.

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6 -NRPC. There is nothing new to report.

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8 -PEG Access Committee. See New Business.

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10 -Personnel Committee. There is nothing new to report.

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12 -Planning Board. There is nothing new to report.

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14 -Police Station Building Committee. The demolition of Garden Street School has started and should go into July  
15 and August. Mike Trojano will be taking off some of the security and the fence will remain. Mr. Trojano is con-  
16 cerned that once the security is gone, someone might want to take some of the granite. Vice Chairman Daniels said  
17 the police patrol that area often.

18  
19 -Recreation Commission. The concession stand at Keyes Field has had some trouble getting started. Counters  
20 need to be installed and a door needs to be installed. Selectman Pickett does not understand why there are items,  
21 which were not included in the original cost estimate. These projects never seem to include the whole story. Town  
22 Administrator Chambers explained the pool house project was taken on, but there was nobody to do it. Town Ad-  
23 ministrator Chambers had asked the DPW Director Bill Ruoff and Building Inspector Kevin Lynch to work with  
24 Kevin Tyska to get bids together, but there wasn't anyone designated to oversee the project. There was no plan to  
25 have it ready for when the pool would be open. Town Administrator Chambers and the rest of the staff pushed hard  
26 to get it open in time for the opening. Selectman Pickett feels when the Town goes out for a proposal, the contrac-  
27 tors need to know what code they are working to in order to meet the requirements of the Town, and that should be  
28 part of the bid. The contractor should know what he is building to. Town Administrator Chambers indicated the  
29 Town saved money by sketching a plan on paper instead of having formal plans drawn up. There were some things  
30 after that needed to be done. The contractor has been great working with the Town. Originally, it was not deter-  
31 mined that a sink was needed in the staff room and the floors need coverings, but all of those items will be done this  
32 fall. Selectman O'Connell asked if the concession stand can be used for the swim meet this weekend. Town Admin-  
33 istrator Chambers said the floor seal was done last week and the door is coming in this week. Kevin Tyska is look-  
34 ing at counters, and then they will be done. Once the door is installed, the concession stand can be used. Selectman  
35 Pickett asked what the door is for. Town Administrator Chambers said the food area needs to be segregated from the  
36 other areas to protect the inventory. The pool staff needs to be kept out of that area.

37  
38 -Recycling Committee. There is nothing new to report.

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40 -Regional Water District. There is nothing new to report.

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42 -School Board. There is nothing new to report.

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44 -Solid Waste Committee. There is nothing new to report.

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46 -Volunteer Program. There is nothing new to report.

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48 -Water/Sewer District Committee. There is nothing new to report.

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50 -Zoning Board. There is nothing new to report.

51  
52 There were no other reports for this evening.



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### 4. APPOINTMENTS:

**5:30 p.m. - Bill Ruoff Continuation of DPW Reorganization.** Based on discussions with the Board of Selectman at the last meeting, Public Works Director Bill Ruoff put together a table with Finance Director Rose Evans and Town Administrator Chambers. Mr. Ruoff looked at the grade levels questioned at the last meeting and made a couple of changes. A comparison was made on existing and new hires. In the table it shows the increases in pay and the decreases in pay. Vice Chairman Daniels said it seems that the personnel will do the same amount of work for more money through this reorganization. Mr. Ruoff understood that part of this reorganization was to take some of the work he has been responsible for and move it to a lower level to free up his time for other tasks. In the new organization, Mr. Ruoff and Town Administrator Chambers tried to give the Town better coverage by spreading out the responsibilities. In the long run as the Town grows, this reorganization will keep the Town in better shape. Vice Chairman Daniels asked if the Superintendent position will take some of the workload from the DPW Director and Foreman. Mr. Ruoff said that is true to some extent; Bill currently functions as a supervisor and as a superintendent and as a manager. He deals with day to day tasks, building and doing management tasks, plus long range planning is a lot for one person. This reorganization tries to put supervisory issues at the same level. Vice Chairman Daniels indicated the Superintendent job should take some responsibilities from Bill Ruoff and from somewhere else. Bill Ruoff responded there are things that need to be done but are not being done because of lack of time and if the Town grows more, additional requirements will be added. The WWTF is having new requirements placed on it by the government. Vice Chairman Daniels asked why a position should be increased in grade level if the workload is just being spread out. Mr. Ruoff answered because right now those people are just acting as a Foreman. Right now they are task-oriented and they will now be in a more supervisory role. It seems like the Foremen are working at a higher level now than they will be in the new structure, said Vice Chairman Daniels. Bill Ruoff does not know how he could explain this any better. Selectman O'Connell asked if the Town is saving any more on the Superintendent side. Bill Ruoff said that is true. Selectman O'Connell noted that the reorganization will get everything where it should be and asked how much it will cost? Bill Ruoff said it will be about \$7,000-\$8,000 more. Selectman O'Connell feels the Town will have a reorganization for the department that has not been done in many years, the department is growing and the Town is growing and it will only cost \$7,000-\$8,000 per year. There may be some levels that we don't all agree on but overall the affect should bring the Town to a better department. Selectman O'Connell thinks the Board of Selectman is nit-picking over \$8,000. Town Administrator Chambers said the net cost is really \$17,000 with overtime projections and she thinks with the long term benefit it is a reasonable amount and it is across 3 funds. Selectman Pickett asked what new positions are being created. Town Administrator Chambers explained the Water Foreman, Superintendent of Parks & Cemeteries, Superintendent of Highways and Truck Driver. Some of these positions will be filled with existing people and the Truck Driver position has been filled, said Mr. Ruoff.

Selectman Pickett asked how many people normally work for the Foreman of Parks & Cemeteries. Bill Ruoff explained there are 3 full time people and some part time people, depending on the season. Selectman Pickett asked how many people work for the Superintendent of Parks & Cemeteries. Bill Ruoff explained just the one Foreman. Selectman Pickett asked about the Fleet Mechanic and how many people work for each person handling supervisory responsibilities. Bill Ruoff said the person doing those things needs to coordinate with other people and other departments. They also need to deal with outside people and with the Trustees. The Foreman of Parks & Cemeteries needs to deal with the families of the deceased. From a supervisory sense he may have only one person working for him but he also needs to work with outside people and departments. Vice Chairman Daniels asked if the level for the Superintendent of Highways is set for an individual or for a position. Bill Ruoff said it is for the position. Mr. Ruoff and Town Administrator Chambers looked at the responsibilities for the position and for other people in the Town and felt this was where it should be. Selectman Pickett had previously brought up the education requirements for that position. Vice Chairman Daniels recollected that the Superintendent of Highways had a few more duties than the other Superintendents and the grade levels have been adjusted for that, but he is concerned about the grade level of that position. Bill Ruoff stated he is comfortable with the way it is graded now - this is his recommendation and he asks for the Board of Selectman to consider it favorably. Selectman O'Connell moved to accept the reorganization with payroll compensation as recommended. Selectman Mannino seconded. Selectman Mannino and Selectman O'Connell voted in favor of the motion, Selectman Pickett and Vice Chairman Daniels were opposed. Motion failed on a tie vote.

Vice Chairman Daniels moved to set the Superintendent of Highways position at a grade level 21. There was no second. Selectman Mannino motioned to lay the matter on the table. Selectman O'Connell seconded. All were in favor. For the next meeting, Town Administrator Chambers said a synopsis of job descriptions can be brought which shows what duties are being moved from one position to another. Town Administrator Chambers asked if there is



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1 anything else that might help. Selectman Pickett would like to see how many people are reporting to each supervi-  
2 sor. Vice Chairman Daniels asked if there is a total cost impact for the reorganization. Town Administrator Cham-  
3 bers can get that for the next meeting.

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5  
6 **6:15 p.m. - Civic Media Corp - Recycling/Advertising Partnership.** Ryan Hansen and Jocelyn O'Quinn of  
7 CivicMedia Corp were in attendance to discuss utilizing the Recycling Center for advertising. This concept was  
8 previously discussed with Board members on an individual basis. The possibility of erecting a billboard with a  
9 sponsor and some Town information at the Recycling Center would generate money for the Town. A Town news-  
10 letter has been talked about and that is something that could also be done through this company. Communicating  
11 with the community without costing too much money could be done. Ryan Hansen has met with Town  
12 Administrator Chambers, Public Works Director Bill Ruoff and Director of Planning and Community Development  
13 Bill Parker and they reviewed an agreement with Town Counsel. Mr. Hansen asked if there were any questions or  
14 feedback. Selectman Mannino spoke previously with Ryan Hansen about this project and thinks it is fantastic. Se-  
15 lectman O'Connell also spoke with Ryan Hansen about her concerns and she does not see that any of them were  
16 addressed. With her experience with signs, she cannot support it as is, but she agrees with the concept. She would  
17 be upset with corporate sponsorship and feels it should be local advertisements. Selectman O'Connell is also  
18 concerned about what is proper to be put on the signs; too much verbiage leads to clutter and nobody is going to read  
19 clutter. She would want to make sure the billboard does not move from the Transfer Station building to the Still  
20 Good Shed and then another one will be added and then it will be sign clutter. Also, the word "approximate" in the  
21 agreement is an issue. She has a number of things in the contract that need to be looked at. The number one issue in  
22 Selectman O'Connell's mind is "no corporate sponsorship," if it is on Town property it should be local businesses.  
23 Vice Chairman Daniels asked if Selectman O'Connell feels that way about sponsorship on the newsletter. Selectman  
24 O'Connell said she does not feel as strongly about that. The newsletter is a good opportunity to give local citizens  
25 coverage. Selectman Pickett asked if we cannot find a local business that wants a billboard, would corporate  
26 sponsorship then be acceptable? Selectman O'Connell still felt it should not be corporate. Selectman Pickett asked  
27 about the maintenance of the sign. Ryan Hansen said his company will perform regular maintenance. Ryan Hansen  
28 explained the message would be changed every 30, 60 or 90 days. With advertising we can develop a process for  
29 approval. Selectman Pickett indicated he feels this is worthwhile to pursue. Vice Chairman Daniels explained there  
30 are two issues; one is the billboard at the Recycling Center and the second is if the newsletter should go forward to  
31 be sponsored in this way. Ryan Hansen said ultimately it would be one contract for both issues. Vice Chairman  
32 Daniels asked if the Town could do one and not the other. Ryan Hansen answered it can be done either way. His  
33 recommendation is to do the Recycling Center billboard first and second do a sponsored newsletter, but one can be  
34 done without the other. Selectman Pickett moved to pursue the proposal for advertising media and move forward to  
35 work out a contract with CivicMedia. Selectman Mannino seconded. All were in favor.

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38 **6:35 p.m. - Recommendations of Government Study Committee.** Paul Bagley, Chairman of the Government  
39 Study Committee, explained that the committee began with a lot of ideas. The report provided to the Board of Se-  
40 lectman identifies some clear ideas of what the Town can and cannot do. It is a not just a matter of saying "let's  
41 change." The workload is growing and needs to be considered. Vice Chairman Daniels indicated he appreciates the  
42 minority reports included in the report, and feels by showing the majority and minority it shows a good representa-  
43 tion of what the Town is like. Paul Bagley got to know these people very well and the committee represents the  
44 Town very well. People want to be involved in the process.

45  
46 Selectman Pickett moved to accept the report of the Government Study Committee. Selectman O'Connell seconded  
47 for discussion. The only question that Selectman O'Connell has is if the Town did not go with a charter commission,  
48 how often does a committee like this need to be put together to review what we should be doing? Paul Bagley re-  
49 sponded that it is a good idea to take a look now and then. When anyone in the community feels it is time to take  
50 another look, let's do that. Margaret Price, Government Study Committee, indicated the majority thought some is-  
51 sues should be dealt with at the legislative level before there is another committee. George Carvill, Government  
52 Study Committee, said if the Board feels it needs to be looked at later from another committee, let's do that. If none  
53 of the Warrant Articles are passing, or coming to a consensus with the BAC or at Town meeting things are getting  
54 zero'd out, those are indications that the system is not working. Peter Bragdon, Government Study Committee, indi-  
55 cated the legal aspects of this have not changed for a number of years. In the future if a committee is assigned, a lot  
56 of the groundwork has been done by this committee. The foundation has been laid. Paul Bagley added there is a lot  
57 of information in the report and in the majority and minority reports. He suggested the Board read the report again



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in about one month. There is still time to take action for next year if the Board would like to do that. All were in favor of the motion.

**6:45 p.m. - Recommendations of Alternate Fiscal Year Committee.** Rodney Richey Chairman of the Alternate Fiscal Year Committee presented to the Board of Selectman the findings of the committee. The recommendations of the Committee include the following:

- Establish a "standing" Budget Advisory Committee
- Initiate annual budget deliberations NLT April 1
- Commit to a budget process which will complete budget preparation & Warrant Article selection by November each year
- Hold public hearing on budget early in January
- Move deliberative session and voting to earliest possible dates

Rodney Richey said to change the fiscal year would be a good thing, however the State makes it expensive to make that change, which does not make sense. Selectman O'Connell asked if a capital reserve fund could be set up. Rodney Richey said that is available but \$3.5 million is a lot of money. Ernie Barrett of the Government Study Committee said this all came from Hudson. The Town can set up a capital reserve fund which makes more sense than borrowing because there would be interest. Rodney Richey said this cannot be changed now, but the committee will support things that can be done to help the process. The budget process has started this year already, and that is good. Selectman Mannino moved to accept the report of the Alternate Fiscal Year Committee. Selectman O'Connell seconded. All were in favor.

**7:30 p.m. - Non-Public Session - Negotiations.** Upon motion made by Selectman O'Connell and seconded by Selectman Mannino, all members assented to enter into non-public session at 11:44 p.m. to discuss a Personnel issue. A motion was made by Selectman Pickett and seconded by Selectman Mannino to come out of non-public session at 12:10 p.m. No announcements were made.

### 5. UNFINISHED BUSINESS:

**-Consideration of State Motor Vehicle Registration - MAPP & COMPASS.** There is nothing new to report.

**-Tax Collector/Town Clerk Reorganization Proposal.** Awaiting job descriptions.

**-Presentation of Volunteer Program.** Selectman Mannino would like to hear input from Chairman Herman. Selectman Mannino moved to table to the next Board of Selectman meeting. Selectman O'Connell seconded. All were in favor.

**-Presentation of Board Policy on Responding to Legislative Proposals at the State Level.** Selectman Mannino moved to table to the next meeting. Selectman Pickett seconded. Vice Chairman Daniels and Selectman O'Connell were opposed. Motion failed on a tie vote. Selectman O'Connell moved to accept the policy as it stands. Selectman Pickett seconded. All were in favor.

**-Recommendation on Request from Colonial Hills Baptist Church Request for Tax Abatement.** Greg Heyn, Assessor, has recommended denial of the request for waiver for the 2003 taxes on this property, in accordance with RSA 72:23-c. Vice Chairman Daniels indicated there are two issues, one issue is the request for waiver of taxes for 2003 due to the time of the property transfer, and the other issue is the abatement for the 2004 taxes.

Selectman Mannino moved to exempt this property from taxes for 2004. Selectman Pickett seconded. All were in favor.



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1 Town Administrator Chambers indicated the request for exemption for 2004 has not been received, which Vice  
2 Chairman Daniels had misunderstood.

3  
4 Selectman Mannino amended his motion that the Board approve the exemption for 2004 upon receipt of the applica-  
5 tion. Selectman Pickett seconded. All were in favor.

6  
7 Vice Chairman Daniels indicated there are legal issues that will need to be worked out for the 2003 request because  
8 this is outside of the abatement period. He would like to look at the statute to see if this can be worked out. Select-  
9 man Pickett moved to table. Selectman Mannino seconded for discussion. Town Administrator Chambers suggested  
10 that the Board of Selectman has authority to grant abatement for any good reason. The owner has come before the  
11 Board and explained they did not anticipate nor can they afford the taxes. Town Administrator Chambers reiterated  
12 that the Board could proceed to abate the taxes, but to keep in mind that other similar situations may arise. Select-  
13 man O'Connell said if other people have similar situations they have every right to come before the Board. Town  
14 Administrator Chambers feels this is a rare occurrence where the property was purchased such that it is impossible to  
15 meet the requirements of the statute for exemption even though the new owner is a bona fide exempt organization.  
16 The Board of Selectman has the authority to grant an abatement. Vice Chairman Daniels asked if the owner needs to  
17 apply for abatement. Town Administrator Chambers does not believe so, but they do need to apply for exemption.  
18 She will get the form ready for if they decide to do this. Selectman Pickett withdrew the motion.

19  
20 Selectman O'Connell moved to grant an abatement for the tax year 2003 outstanding taxes. Selectman Mannino sec-  
21 onded for discussion. Selectman Mannino noted for the record that this organization clearly meets the definition of  
22 what would be exempted. All were in favor.

23  
24 **-Lease Agreement with US Cellular Discussion.** Selectman Pickett asked if there were any changes since the last  
25 discussion. Town Administrator Chambers explained that US Cellular made all the modifications the Town re-  
26 quested, but Section 6E is still up in the air. Town Administrator Chambers has gotten a lower price from Clough  
27 Harbor, who originally thought the Town wanted to propose a new tower design if this proved to fail, but the Town  
28 only needed to have the plan reviewed. Selectman Pickett thought the only item outstanding was the consultant.  
29 Town Administrator Chambers indicated there were a few more things that needed to be fixed and now they have  
30 been. She would like one more legal review prior to final approval by the Board of Selectman. The next time this  
31 agreement comes before the Board it will be in final form.

32  
33 Selectman Mannino moved to table this pending receipt of a final draft of the agreement. Selectman Pickett sec-  
34 onded. All were in favor.

35  
36 **-Board of Selectman Newsletter Discussion.** Vice Chairman Daniels suggested going through the list of articles  
37 from the last meeting to identify who is responsible for which item.

- 38  
39  
40 -Street Lights - Selectman Pickett  
41 -Keyes Foot Bridge - Town Administrator Chambers  
42 -Brox Property - Vice Chairman Daniels  
43 -MACC Base - Chairman Herman  
44 -Communications Tower - Selectman O'Connell  
45 -Police Station - Vice Chairman Daniels  
46 -Revaluation of Properties - Greg Heyn  
47 -Volunteer Program - Selectman Pickett  
48 -Osgood Pond Status - Selectman Mannino  
49 -Storm water management - Selectman Mannino  
50 -Compost - Selectman Mannino  
51 -Budget Status - Chairman Herman  
52 -Planning Board - Bill Parker

53  
54  
55 Selectman O'Connell asked when this newsletter will be published. Vice Chairman Daniels indicated this issue  
56 should be out by the end of July.



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1 **-Recommendations for Traffic Safety Concerns - Dearborn, Elm & Middle Streets.** After the last meeting,  
2 Town Administrator Chambers spoke with DPW about the plastic dummies for the middle of Elm Street near the  
3 Christian Academy. They cost about \$300 each and get run over frequently, requiring new dummies. Bill Ruoff  
4 suggested putting a lime green crosswalk to see if that helps, and the warning signage will be moved as requested.  
5 Selectman Pickett asked if the lime green crosswalk will be done everywhere except downtown? Town Administra-  
6 tor Chambers said that is planned. Vice Chairman Daniels suggested that Town Administrator Chambers mention to  
7 the school how much the dummies cost to see if they want that expense and also let them know about the lime green  
8 crosswalk.

9  
10 **-Nashua Street Traffic Study.** Awaiting Traffic Safety Committee Recommendation.

11  
12 **-Perambulation of Town Boundaries with Town of Mason.** Awaiting response from Mason.

13  
14 **-Fire Alarm System.** Awaiting July 26 appointment.

15  
16 **-Consideration of Discretionary Preservation Easement Application.** Awaiting information from applicant.

17  
18 **-Discussion of Telephone Pole Licenses.** A meeting has been set up with Town Administrator Chambers, DPW  
19 General Foreman Carl Somero, DPW Director Bill Ruoff, Mary Feeney of Verizon, and Linda Farrar of PSNH on  
20 July 21, 2004.

21  
22 **-Proposed Draft Amendments to Town Wrecker Rotation Policy.** Vice Chairman Daniels handed out revised  
23 copies of the policy. There are 3 changes in the latest draft including changing the word "wrecker" to "towing."  
24 Also, in Section 1-1 to change to 28 hours instead of 40 hours. Town Administrator Chambers indicated the 40  
25 hours was to allow owners the opportunity to pick up their vehicles and now they will only have 28 hours during the  
26 week to pick up their car. This will reduce the amount of time the customer has to pick up their car and it may in-  
27 crease the cost. Selectman Pickett feels the minimum of 40 hours is acceptable. Selectman Mannino agreed but  
28 wants to keep the 4 hours per day. Vice Chairman Daniels continued that Milford tow companies will be called first.  
29 The out of town services will also be on a rotation list. The out of town companies will only be called if the Milford  
30 companies cannot respond. Selectman Mannino asked if the rotation order will be determined by the day or by the  
31 call. Vice Chairman Daniels said it will be call by call. Also the wording "open" versus "available" needs to be  
32 worked out in the policy. Selectman Pickett moved to accept the policy as amended, keeping the 40-hour require-  
33 ment. Selectman Mannino seconded. All were in favor.

34  
35 **-Status of Osgood Pond.** Ongoing project.

### 36 37 38 **6.NEW BUSINESS.**

39  
40 **-Street Lighting Concerns.** Steve Jorgensen, resident on Ridgefield Drive, indicated to the Board how many resi-  
41 dents were appalled at the lights being taken out. A petition has been signed by residents asking for at least the re-  
42 placement of the light removed near the stop sign. Selectman O'Connell asked if these lights were taken out at the  
43 same time as Dearborn Street. Mr. Jorgensen believes that is so. Town Administrator Chambers asked if the light  
44 being requested to be replaced is between Crosby & Valhalla. Mr. Jorgensen said that is the one. Two lights were  
45 restored on Ridgefield Drive near Westchester Drive and near Valhalla Drive. A petition was also received from  
46 residents of Dearborn Street, and they would like to have lights put in but are willing to wait until the new lights  
47 come in, said Vice Chairman Daniels. Mr. Jorgensen asked why the lights were taken out without the residents being  
48 notified. This road is a main thoroughfare and there are many young children and the nightfall in the fall comes  
49 early. This road is a short cut for Elm Street - there is a heavy traffic volume. Selectman O'Connell asked if it is  
50 known how much light the new lights will cast. Town Administrator Chambers said the lights will be a full cut-off  
51 fixture so there is less light bleeding out into people's homes and night sky; but more intense in a downward direc-  
52 tion. Selectman Pickett asked if the light at the intersection was removed. Mr. Jorgensen was unsure, but the light  
53 being requested is not at an intersection. People buy into certain neighborhoods because of safety and to have the  
54 lights taken without any notification made everyone very upset. To his knowledge, there was nothing in the Warrant  
55 Article that said lights would be removed, it was supposed to be a lighting upgrade.



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1 Vice Chairman Daniels indicated to Mr. Jorgensen that the Board checked with Town Counsel and it does have the  
2 authority to remove lights without telling people. To uphold the integrity of the vote in question he feels the lights to  
3 be replaced should be replaced and the ones to be taken down should not have been removed until residents were  
4 notified so they could have a chance to voice their opinion. This was not done to take away the safety of the  
5 neighborhood, but it was done to cut costs. The traffic pattern is an issue in this neighborhood, said Mr. Jorgensen,  
6 this is a very heavily traveled street. People use Ridgefield Drive to get away from the Elm Street traffic and conges-  
7 tion. This isn't just a frivolous request, we need to be illuminated. Mr. Jorgensen is concerned about kids and if the  
8 lights do not come back he will hold the administration responsible for anything that happens. Selectman Pickett  
9 noted that the Board has put a stop to lights being taken down and asked if there is anything else the Board can do?  
10 Vice Chairman Daniels did explain to Mr. Jorgensen that when the new lights come in, some of the lights will still  
11 not be replaced and others will be changed to the new bulbs. Selectman Pickett wants a public forum to be held be-  
12 fore any more lights are removed. Steve Jorgensen feels some residents may want the lights taken down depending  
13 on the nature of the neighborhood. The petition was prepared to ensure that one light will be returned when the new  
14 lights come in. Vice Chairman Daniels cannot assure that, but his feeling is for the lights taken down there should be  
15 a new light to replace it. There also may be better illumination with fewer (new) lights, said Selectman O'Connell,  
16 but until the lights are installed we will not know. The Warrant Article said "replace" and not "remove." PSNH  
17 should come in to show the additional illumination of the new lights. Maybe that could be done during the public  
18 forum.

19  
20 Selectman Mannino moved to replace the lights that have been taken down with the new lights once they come in  
21 and then go to the next step to get PSNH to come into the public forum regarding illumination and to get input from  
22 neighbors. Selectman O'Connell seconded for discussion. Town Administrator Chambers asked if the replacement  
23 lights should be immediate or at a future date? Vice Chairman Daniels said it should be when the new lights come  
24 in. Vice Chairman Daniels would like to hear from the neighbors about the illumination and whether or not all the  
25 lights need to be replaced. Town Administrator Chambers said that can be done at the public forum; a contract with  
26 PSNH has not been signed and she is not sure they will agree with what was just voted on. Now PSNH has stopped  
27 all removals, and the Town was hoping to get the letters out to residents, have the public forum and determine if all  
28 or some of the lights designated for removal should be replaced or not and then go back to PSNH. To replace all the  
29 lights, the money will be tight. Vice Chairman Daniels recommended that the lights should be replaced as far as they  
30 can up to the \$130,000 which is what was voted on. Town Administrator Chambers noted the Town will only get the  
31 reduced rate change if the whole Town changes to the new bulbs. Selectman O'Connell feels PSNH made a mistake  
32 by taking down lights before they were ready to replace them. They need to step up and acknowledge the mistake.  
33 Town Administrator Chambers said the Town also made a mistake with them; everything should be made ready for  
34 when the lights come in which could be one month to 6 weeks. There are only 14 lights down right now. All were in  
35 favor of the motion.

36  
37 Mr. Worcester urged the Board to go back and review how the lights were originally installed - there were public  
38 hearings, then it went to the Town voters, from that time forward the Town took over the cost. Some years ago it  
39 became cumbersome and the Board of Selectman felt that was not how it would be done. The new lights would be  
40 petitioned into an area and the Board of Selectman would include those with the DPW in the Warrant Articles. The  
41 public forum was the budget hearing and lights were then adopted. There were line items for certain streets and it  
42 was a very public process. This process today does not make any sense. The lights are part of the infrastructure for  
43 the citizens. To just do away with the lights doesn't make sense. Vice Chairman Daniels noted this Board never  
44 made any decision to take street lights down. Vice Chairman Daniels understands the concern and explained that the  
45 Board has gone back and will uphold the integrity of the Warrant Article. Mr. Worcester appreciates that. Select-  
46 man Mannino moved to table this until a later time tonight. Selectman O'Connell seconded. All were in favor.

47  
48 Later in the evening, several residents of the Dearborn Street area arrived. Vice Chairman Daniels explained that  
49 earlier during the meeting, the Board voted to replace all the lights taken down with new lighting when it comes in  
50 and at that point assess which lights would be beneficial to remove, but not before a public forum is held to let peo-  
51 ple have a chance to state their case. The Board is trying to break it down into steps, the first being to replace all the  
52 lights that have been removed with new lights. Someone from PSNH will be invited to the public forum to give eve-  
53 ryone an idea of how bright the new lights will be so perhaps fewer lights may be necessary once they are installed.  
54 Later this evening, a time and date will be set up to let people know when that meeting will be held. It will be about  
55 2-4 weeks before the new lights are in. In the petition that was signed by the Dearborn Street residents, it states that  
56 the people signing agreed to wait for the new lights. Selectman Pickett believes two of the lights that had been re-  
57 moved have now been replaced. One resident said this is an extremely bad situation - the safety of the residents is



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1 being compromised. He then asked why it takes so long to get these new lights. Vice Chairman Daniels understands  
2 it is new lighting that takes a while to come in. PSNH made a bad decision to take down the lights before the new  
3 lights were in. DPW, the Police and Town Administrator Chambers were all working with PSNH. It was not any-  
4 one's intention to put anyone in danger. The resident asked why some old lights can't just be put in. Town Adminis-  
5 trator Chambers chose where to put the two lights back in. She could call PSNH to see find out if they have any idea  
6 how long the new lights will be, then she will get in touch with a couple of the residents to let them know. Selectman  
7 Pickett indicated the list of lights that was generated had the lights on Dearborn Street flagged to be removed com-  
8 pletely, but tonight this Board voted to put new lights back in. It is clear that the neighborhood will get new lights,  
9 but the petition does state that people are willing to wait for the new lights to come in. Selectman Pickett does not  
10 know why only two lights were replaced and he feels that was all there were available.

11  
12 Selectman Mannino moved that Town Administrator Chambers contact PSNH to request any interim lighting that  
13 can be re-installed on Dearborn Street even for a short period of time, until the new lights come in. Selectman  
14 Pickett seconded. All were in favor.

15  
16 Later in the evening, Selectman Mannino moved to take this issue off the table for discussion. Selectman O'Connell  
17 seconded. All were in favor. Vice Chairman Daniels asked how many lights were taken out on Ridgefield Drive.  
18 Town Administrator Chambers said 6 were removed and two have been put back up. Vice Chairman Daniels asked  
19 if there is any good place where new lights could be put to give people an idea of what the new lights will look like.  
20 Town Administrator Chambers will need to check on that, but the project is within \$5,000 of the budget. If all the  
21 street lights are put in (a total of 419) the funding will not last. If the 18 lights that have been removed are replaced,  
22 it will cost some money. If it is agreed to leave some of the old lights in place, the Town will not get the lower  
23 PSNH rate. Before the public forum, Selectman O'Connell suggested getting some of the new lights installed on  
24 Summer Street or Dearborn Street to see the affect on the street. Vice Chairman Daniels does not think the Dearborn  
25 Street people will go for some lights not being replaced. Town Administrator Chambers thinks maybe trying the new  
26 lights on Ridgefield Drive will work because the residents are okay with just getting one more light. Selectman  
27 Pickett asked if there is enough money to replace all 419 street lights. Town Administrator Chambers said it will be  
28 about \$5,000 short. Plus there are 18 more lights that the Town recommends adding. Selectman Pickett thinks the  
29 Town should hold off on the 18 new lights because the old lights should be done first. Town Administrator Cham-  
30 bers said the complaints have come from Dearborn Street and one section of Ridgefield Drive. Selectman Pickett  
31 asked if one light can be put on Ridgefield. Again, Town Administrator Chambers reminded the Board that in order  
32 to get the reduced rate from PSNH, the Town needs to replace 389 lights, but if that is done the funding is tight. She  
33 thought there would be enough people who did not want the lights replaced that would make up the \$5,000. Select-  
34 man Pickett asked what was the delay in getting the assessment of the lights. Town Administrator Chambers said  
35 there was nobody who had time to do the task of assessing each light: each light had to be inspected and the specific  
36 bulb replacement determined. Town Administrator Chambers suggested putting a new light on Summer Street to see  
37 the illumination. Selectman Pickett does not want to put 3 old lights on Dearborn Street because they will just need  
38 to be changed, but put up 3 new ones if they are available.

39  
40 Selectman Pickett moved to put in a new 70 watt light between 124 and 128 Ridgefield Drive. Selectman O'Connell  
41 seconded. All were in favor.

42  
43 Town Administrator Chambers will also select a site where a new light will be installed next to an old light to com-  
44 pare the difference before the public forum. She will report the site back to the Board of Selectman as soon as it is  
45 identified.

46  
47 Selectman Pickett moved to table until the next meeting July 26. Selectman O'Connell seconded. All were in favor.

48  
49 Town Administrator Chambers asked if there was any input on the PSNH press release. Selectman O'Connell said it  
50 states "replace all of the street lights" not "replace some of the street lights." After discussion the press release was  
51 amended to clarify. Vice Chairman Daniels asked that members make recommendations and get them to Town Ad-  
52 ministrator Chambers by July 16 so that she can bring a draft to the next meeting. Selectman Pickett clarified that  
53 the Town started this process with the street lights, not PSNH. Town Administrator Chambers indicated the Town  
54 did not know all the lights would be taken down at once without having new lights for replacement. PSNH acted on  
55 the Town direction, but it was not directed to remove all the lights. Selectman Mannino asked if PSNH was sup-  
56 posed to do a public awareness campaign. Town Administrator Chambers said PSNH said they would be responsi-



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ble to do press releases, but it never happened. Selectman O'Connell feels PSNH should shoulder some of the responsibility.

**-Review of MACC Base Equipment Lease.** Town Administrator Chambers indicated that MACC will take care of all maintenance of the equipment. Selectman Pickett moved to accept the equipment license agreement. Selectman Mannino seconded for discussion. Selectman Mannino indicated legal counsel should review the agreement. Town Administrator Chambers explained that legal counsel wrote it with her. All were in favor.

**-Request for Approval of Proposed Revisions to the Employee Handbook.** These changes are for part time people and people who start later during the year. Selectman O'Connell moved to accept the changes. Selectman Mannino seconded for discussion. Vice Chairman Daniels asked if the Employee Discrimination Law is from Federal and State law. Town Administrator Chambers explained it is taken out of the statutes. All were in favor.

**-Request for Release of PEG Access Funds.** Vice Chairman Daniels explained that the hesitation the Board had with releasing the money was that it wanted the assurance that the "G" portion was going to go forward and the Board wanted to be sure that it would be implemented in the not-too-distant future. The Committee representative explained that the final report should be out by the end of the summer. The intent is that they go forward with all 3 portions of PEG. The EG is planned to start in January 2005 and the P in the later part of 2005 but before January 2006. The air conditioning needs to be on line before anything gets going. Selectman O'Connell moved to allocate up to \$20,000 for PEG access (a portion of the amount provided to the Town by Adelphia at the contract signing) once the school has exhausted their available "Round II" funds for PEG, to contribute to the purchase and/or repair of the air conditioning equipment for the PEG access program. Selectman Mannino seconded for discussion. Selectman Pickett was under the impression that the Board of Selectman was waiting for School Board input. Vice Chairman Daniels said the School Board does not need to vote to release the money. Selectman Pickett asked if the funds being released are for the P, E and G. Town Administrator Chambers said it is for everything - school and town. Selectman Pickett asked if air conditioning was on the original list of equipment. Town Administrator Chambers was not sure but some of items on that list have been donated. The part time employee that will man the studio was discussed with no outcome or decision. All were in favor of the motion.

**-Discussion of Kaley Park Progress Concerns.** A letter was received from the Kaley Foundation, requesting a status report of the Kaley Park progress. Selectman Pickett has spoken to the Recreation Commission and the reason this park will be so expensive is because Nashua Street would need to be widened in order to get down to the area to make the fields. The Recreation Commission may want to just get one field made and a boat launch made so the project goes forward without needing the road to be widened. Bill Parker added that when the ZBA approved this, they said the project could go forward with one field, but not two (which requires road widening). Another thing is that St. Joseph's is coming before the Planning Board with an office building near the parking area, which may necessitate a turning lane so the Town can work with them on the road widening. Selectman Pickett said if one field and a boat launch gets started, it may help to sell the second field and the road improvements. Selectman Pickett cannot see people putting out money without seeing what is going to be done, and getting some use out of the land. Bill Parker mentioned that the land plan was always presented to the Town to be a recreational facility. Mr. Wilde, resident, sees a need in Town for fields. Eventually there will be a couple of fields, a boat launch, doctor's offices, and there is only one entrance and egress. Does this make sense? Mr. Wilde thinks it needs a second egress on the site and that may solve the problem with Nashua Street. To have all the activity in that intersection is going to be difficult and another stop light may be needed. The point of tonight's discussion, said Selectman O'Connell, is to inform the Kaley Foundation that the Town is moving forward. It is being looked at and the Board needs to respond. Bill Parker believes that Kaley had offered additional funds but because nothing has happened, it was withdrawn. Recently, Selectman Mannino heard that people in that neighborhood think the land could be used as another water source. Town Administrator Chambers has always wondered the same thing. Selectman O'Connell thinks the problem is the 400 foot well radius. Selectman Mannino would like to learn about that - it is an old neighborhood. There are a number of concerns around this whole idea. Two years ago, when there was a Warrant Article, Town Administrator Chambers said an agreement was completed with St. Joseph's to purchase a small piece of property for a turning lane. Now they are expanding their property and may need that piece for their own expansion. St. Joseph's also needs the Town's help in order to expand and will be coming to talk to the Board of Selectman. Vice Chairman Daniels asked if there is a timeframe when the Board should respond. Town Administrator Chambers indicated the Board can respond that the land is being looked at and a more detailed response will be forthcoming.



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Selectman O'Connell moved to have Town Administrator Chambers send a letter to the Kaley Foundation stating that the Town is moving forward with plans for Kaley Park. Selectman Pickett seconded for discussion. Selectman Mannino asked if that letter will say anything about the land being a potential water source. Town Administrator Chambers said that finding that out may cost money. Selectman Mannino feels that should be part of the response. Vice Chairman Daniels indicated Kaley donated money so that the land could be used for recreation. Selectman Mannino thinks new water resources for the Town would outweigh recreational use. But in respect to the letter to Kaley, Vice Chairman Daniels asked if the Board wants to get into alternate sources for the property or just address the recreation use of the land? Selectman Mannino feels the possibility of it being a water source could be part of the letter. All were in favor of the motion.

Mr. Wilde asked if there is a current traffic study for that area. Bill Parker said St. Joseph's is contacting the person who did the last traffic study on that area and having it updated.

**-Request for Release of Securities (#9423866) - 1-16 Lee An Drive.** Bill Parker has requested the partial release of securities in the amount of \$24,583.00 for the Lee An Drive subdivision. Selectman O'Connell moved to release securities in the amount of \$24,583.00. Selectman Mannino seconded. All were in favor.

**-NH Municipal Association (NHMA) Policy Conference - Selection of Delegate & Policy Position.** The next conference is in September. All Board members should go through the proposals and take notes of the issues being talked about. Make notes if you support or not and it will be discussed at the next Board of Selectman meeting.

**-Request for Permission to Conduct a Raffle.** The DO-IT Committee has requested Board of Selectman permission to conduct a raffle to help fund Milford Main Street Program DO-IT projects and programs. The raffle drawing will be held October 10, 2004. Selectman Mannino moved to approve the raffle. Selectman Pickett seconded. All were in favor.

**-Request for Permission to Hold A Carnival.** The Souhegan Valley Chamber of Commerce has requested Board of Selectman permission to hold a carnival fundraiser from July 22 until July 25, 2004 to be held at the Granite Town Plaza in Milford. Selectman Mannino moved to approve the request. Selectman Pickett seconded for discussion. Town Administrator Chambers asked if the Chamber of Commerce should contact the Police Station for crowd control as necessary, which they will need to pay for. The Board concurred that the applicant should be notified of the costs if police control is needed, but were in favor of granting the request without the crowd control requirement. All were in favor. Town Administrator Chambers usually gives a copy of the request to the Police Chief so they are aware of the carnival in case of an emergency. She will check the statute on crowd control.

**-Request for Police Detail Coverage Waiver.** The Nashua Chamber Orchestra has requested a waiver of police detail for their concert to be held at Milford Town Hall in January, which according to them usually draws less than 100 people. Selectman O'Connell asked if the Board can request that they limit the number of tickets sold to 100, to ensure the crowd does not go over that number. Town Administrator Chambers noted they have sometimes gone over 100 people. Selectman Pickett moved to deny the request. Vice Chairman Daniels seconded for discussion. Vice Chairman Daniels suggested they set up only 100 chairs. Selectman Pickett amended his motion that if they choose to exceed 100 people, they will not be granted the waiver and will be required to pay for the police detail and that they set up only 100 chairs so it does not require police coverage. Selectman O'Connell seconded. All were in favor.

**-Request for an Official Letter of Greeting to the Town of Milford Haven, Wales.** The Amherst Town Band will travel to Milford Haven, Wales on July 23 to continue a band exchange and requested a letter of greeting from Milford NH to Milford Haven. Vice Chairman Daniels asked Town Administrator Chambers to draft a letter of greeting and to extend an invitation for them to visit Milford. Town Administrator Chambers agreed to prepare the letter.

**-Presentation of Application for Reimbursement for Federal Forests.** The Town of Milford has applied for reimbursement pursuant to RSA 227-H for Map 53, Lot 22 the being assessed at \$79,800 and Map 53, Lot 24 assessed at \$82,600. Selectman O'Connell moved to approve the application. Selectman Mannino seconded. All were in favor.



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**-Request for Sewer Abatement.** Due to a faulty meter, the meter was running fast and recorded incorrectly the water usage for this account. Selectman O'Connell moved to approve and Selectman Mannino seconded the motion to approve the water & sewer abatement as follows:

<u>Location</u>	<u>Account</u>	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
10 Hitchiner Way	6090138	\$0	\$3,682.00	\$3,682.00

All were in favor.

**-Request to Restructure Sewer Rate.** Hitchiner Manufacturing has requested that the sewer charges be restructured, since the use of incoming water at Hitchiner produces steam used in their process, which does not get discharged in the sewer system. Town Administrator Chambers recommended this to DPW for recommendation. Selectman Mannino moved to send this request to DPW for input. Selectman Pickett seconded for discussion. Selectman Pickett recommended approving this request contingent on DPW recommending the restructure. Selectman Pickett moved to amend the motion that the Board of Selectmen approve the request if DPW agrees with the water/sewer exchange at Hitchiner and that there will be no water return to the sewer from the steam process. Selectman O'Connell seconded. All were in favor.

**-Execution of Water & Sewer Users Fees for the Month of July 2004.** The Water User and Sewer User fees for the month of July 2004 and the June 2004 final bills were unanimously approved on motion made by Selectman Mannino and seconded by Selectman O'Connell as follows:

Water Users Fees:	July 2004	\$ 37,573.79
	June 2004 Final	\$ 3,253.88
Sewer Users Fees:	July 2004	\$ 43,467.54
	June 2004 Final	\$ 6,337.58

**-Non-Public Session - Personnel.** Upon motion made by Selectman Pickett and seconded by Selectman Mannino, all members assented to enter into non-public session at 11:26 p.m. to discuss a Personnel issue. A motion was made by Selectman Mannino and seconded by Selectman Pickett to come out of non-public session at 11:43 p.m. The following announcement was made: Upon a vote of the Board, after a motion by Selectman Pickett and second by Selectman Mannino, it was decided to put a disciplinary memo in Town Administrator Chambers personnel file regarding an error in job regarding replacement lighting communications.

### 7. ITEMS NOT ON THE AGENDA.

**-Request from Milford Republican Party.** A request has been made by the Milford Republican Party to erect a tent at Emerson Park for a family picnic. This request was originally denied because of the stakes to be driven into the ground. However, after research it was discovered that there is no irrigation system on the section of Emerson Park intended to be used and the tent would be placed outside of the area that cannot have stakes installed. Vice Chairman Daniels asked if the members would allow a tent to be pitched. This will set a precedent that if a tent is requested to be pitched it would need to be in that area. Selectman Mannino asked if it would be allowed for a wedding. Vice Chairman Daniels said the ordinance states alcohol cannot be used on Town grounds, so that might be difficult, but people pay taxes for that land and if there is no reason to not allow it, it should be allowed. Selectman O'Connell thinks the people in Town should be allowed to use the parks. Selectman O'Connell moved to allow the tent to be set up in an area beyond the electricity or irrigation systems so that it does not cause any interference with electricity or irrigation systems. Selectman Mannino seconded for discussion. Selectman Pickett asked if it will be restricted to residents. Town Administrator Chambers said it is already set up that way. All were in favor. Vice Chairman Daniels also noted there is paperwork that needs to be signed with rules. Vice Chairman Daniels requested a change in policy be prepared for the Board's approval to allow tents in that area of that park.

### 8. INFORMATION ITEMS.



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### 9. ANNOUNCEMENTS.

**-Next BOS Meeting.** The next regular meeting of the Board of Selectmen will be Monday, 26 July 2004, at 5:30 p.m.

There being no further business to come before this Meeting, the Board adjourned at 12:15 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_